

REMARKS/ARGUMENTS

Claims 1-51 are in the case. The applicants have studied the office action dated August 6, 2004, and have made the changes believed appropriate to the place the application in condition for allowance. Reconsideration and reexamination are respectfully requested.

The Examiner has rejected claims 1-4, 13, 15-21, 30, 32-38, 47, 49-51 under 35 U.S.C. 102(b) as being anticipated by Powers et al. U.S. Pat. No. 5,212,785. This rejection is respectfully traversed.

Claim 1 is directed to a "method for processing Input/Output (I/O) requests to a storage network including at least one storage device and at least two adaptors, wherein each adaptor is capable of communicating I/O requests to the at least one storage device, comprising" *inter alia*, "... in response to receiving an I/O request, starting an I/O delay timer that is less than a system timeout period ... ; and sending a reset request to the first adaptor in response to detecting an expiration of one started I/O delay timer." It is the Examiner's position that the Powers reference "discloses a system with a timeout counter for the I/O controller" citing "Lines 11-14 of Column 7" and "[o]nce a timeout has occurred, a system failure is indicated and recovery proceeds" citing "Lines 24-30 of Column 7." The applicants respectfully disagree.

It is clear that the Examiner's citations to the Powers reference fail to teach or suggest a method in which an "I/O delay timer" is started "in response to receiving an I/O request" to a storage device. Instead, it appears that the timeout counter recited by the Examiner from the Powers reference is "triggered upon receipt of a message 108 to release both sets of drives or the primary disk drives." Powers reference, col. 7, lines 11-14. A message to release drives is clearly not an I/O request to a storage device.

Similarly, it is clear that the Examiner's citations to the Powers reference fail to teach or suggest a method in which "a reset request" is sent "to the first adaptor in response to detecting an expiration of one started I/O delay timer." As set forth above, the timeout counter cited by the

Examiner is triggered by a message to release drives rather than being triggered by an I/O request. Furthermore, it is clear that the message sent upon expiration of the timeout counter cited by the Examiner is not a reset request to an adaptor. Instead, the message sent upon time out is "to take control of the primary set of disk drives." Powers reference, col. 7, lines 11-14.

Independent claims 18 and 35 may be distinguished in a similar fashion. Claims 2-4, 13, 15-17, 19-21, 30, 32-34, 36-38, 47, and 49-51 depend either directly or indirectly from claims 1, 18 or 35. Accordingly, the rejection of these claims is improper for the reasons given above. Moreover, claims 2-4, 13, 15-17, 19-21, 30, 32-34, 36-38, 47, and 49-51 include additional limitations, which in combination with the base and intervening claims from which they depend provide still further grounds of patentability over the cited art.

The Examiner has made various comments concerning the anticipation or obviousness of certain features of the present inventions. Applicants respectfully disagree. Applicants have addressed those comments directly hereinabove or the Examiner's comments are deemed moot in view of the above response.

Claim 35 has been rejected under 35 U.S.C. 101. Claim 35 has been amended substantially as the Examiner has kindly suggested. It is respectfully submitted that the rejection of claim 35 should be withdrawn. In addition, dependent claims 36-51 have been amended to correct a typographical error. It is respectfully submitted that the amendments are made to clarify recited features and do not narrow the scope of the claimed inventions.

Applicants gratefully acknowledge the Examiner's indication that claims 5-12, 14, 22-29, 31, 39-46 and 48 would be allowable if rewritten in independent form. However, it is respectfully submitted that these claims are in condition for allowance as set forth above.

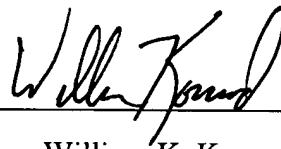
Conclusion

For all the above reasons, Applicant submits that the pending claims 1-51 are patentable over the art of record. Applicants have not added any claims. Nonetheless, should any additional fees be required, please charge Deposit Account No. 09-0449.

The attorney of record invites the Examiner to contact him at (310) 553-7977 if the Examiner believes such contact would advance the prosecution of the case.

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By: _____



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